April 1, 2025

Kate Stewart, President
Montgomery County Council
100 Maryland Avenue
Rockville, MD 20850

Re: 4/1/2025 Public Hearing on ZTA 25-04, Bethesda Overlay Zone

Dear Council President Stewart, Vice President Jawando, and Councilmembers Albornoz, Glass, Sayles, Balcombe, Fani-González, Friedson, Katz, Luedtke, and Mink:

On behalf of the Wildwood Manor Citizens Association (WMCA), I am writing to provide our comments on Zoning Text Amendment (ZTA) 25-04, Bethesda Overlay Zone (BOZ).[1] WMCA represents more than 500 Bethesda homes located just east of MD 187 and bordered by I-270 on the North, Snow Point Drive on the East, and Grosvenor Lane and Southport Drive on the South. **As residents who live, work, shop, dine, and play in Bethesda, we strongly oppose ZTA 25-04's proposed elimination of the development level[2] which would allow even more residential and commercial development in Downtown Bethesda.** Our specific concerns and comments on ZTA 25-04 are detailed below:

Removal of the Development Cap Inappropriately Changes the Key Component around which the 2017 Bethesda Downtown Plan was Designed

In describing the Bethesda Downtown Plan Minor Master Plan Amendment (MMPA) process, the Maryland-National Capital Park and Planning Commission (M-NCPPC) explains that "[t]he plan included a cap on total development in downtown Bethesda, including existing and approved new development. The County Council has authorized Montgomery Planning to develop a Minor Master Plan Amendment (MMPA) to the 2017 plan to focus on **implementation** (emphasis added) . . . The MMPA will cover the same Plan Area as the 2017 plan. It will not re-open the entire 2017 plan: the existing zoning, parks, transportation, and other **recommendations will remain unchanged** while we explore how better to **implement** those recommendations (emphasis added)."[3]

Rather than focusing on implementation of the 2017 Bethesda Downtown Plan, the MMPA and ZTA 25-04's proposed removal of the development cap inappropriately changes the key

[1] Montgomery County Council Staff Report. (2025, February 25). *Zoning Text Amendment (ZTA) 25-04, Overlay Zones – Bethesda (B) Overlay Zone* (hereinafter "ZTA 25-04"). Available at: https://www.montgomerycountymd.gov/COUNCIL/Resources/Files/20250225_3A.pdf

[2] ZTA 25-04, Deletion of Lines 33-37 that established a 32.4 million square feet development cap.

[3] Maryland-National Capital Park and Planning Commission (M-NCPPC). (2024). *Bethesda Downtown Plan Minor Master Plan Amendment (2024)* (hereinafter "MMPA"). Available at: https://montgomeryplanning.org/planning/communities/downcounty/bethesda-downtown-plan/bethesda-downtown-plan-minor-master-plan-amendment-2024/

component around which the Plan was designed – namely, the establishment of a 32.4 million square feet development cap[4] that balances new commercial and residential development with the need for corresponding public amenities, parks, and green spaces for residents, workers, and visitors to Downtown Bethesda. As the Bethesda Downtown Plan notes, "Adding more density to an already densely built environment requires more parks, trails and open space located in the right places to make sure Bethesda remains a place where people want to live, work and play."[5] To realize the goals of the Bethesda Downtown Plan, it is critical to retain the development cap.

County Executive Elrich shares WMCA's concerns about lifting the development cap. Elrich states: **"The suggestion that new development will supply the infrastructure needed to support new growth is belied by what has already happened in Bethesda in the eight years since the Council enacted the Bethesda Downtown Sector Plan"** (emphasis added).[6] Specifically, Elrich cites the Parks Department's failure to "complete even one of the thirteen parks called for in that Plan" . . . DOT's statement that "although Bethesda has already built out to the cap, sufficient funding for infrastructure has not materialized" . . . and the "serious overcrowding at Bethesda Elementary School in part due to the increased number of students generated by the new housing."[7] Simply put, the proposed removal of the development cap is inappropriate and threatens the Bethesda Downtown Plan's careful balance between new development and the delivery of adequate public facilities, services, amenities, and parks and green spaces.

<u>Removal of the Development Cap would Result in Unacceptable Increases in Greenhouse Gas Emissions</u>

WMCA opposes any increases beyond the 32.4 million square feet development cap due to harms to the environment from increases in greenhouse gas (GHG) emissions. As M-NCPPC's *Climate Assessment* found, all three tested scenarios resulted in significantly increased GHG emissions.[8] Specifically, "[t]he overall GHG emissions increase for Scenario 1 (11 million additional sq/ft) will be approximately 34%. GHG emissions increase for Scenario 2 (16 million additional sq/ft) will be 53.58%. GHG emissions for Scenario 3 (21 million additional sq/ft) will be 73.50%."[9] Complete removal of the development cap would result in even more harmful

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[4] Maryland-National Capital Park and Planning Commission (M-NCPPC). (2017, May). *Bethesda Downtown Plan Approved and Adopted May 2017* (hereinafter "Bethesda Downtown Plan), p. 6. Available at: https://montgomeryplanning.org/wp-content/uploads/2017/09/BDP-COUNCIL-ADOPTED-MAY2017_SMALL-FOR-WEB.pdf

[5] Id. at p. 76.

[6] County Executive Marc Elrich. Letter to County Council President Kate Stewart on the Bethesda Minor Master Plan Amendment (hereinafter "Elrich Letter on MMPA"), p. 1. Available at: https://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=16441&meta_id=192326 (pp. 37-39).

[7] Id. at pp. 1-2.

[8] M-NCPPC. (2024, October). *CLIMATE ASSESSMENT FOR BETHESDA DOWNTOWN MINOR MASTER PLAN AMENDMENT WORKING DRAFT* (hereinafter "*Climate Assessment*"), p. 2. Available at: https://montgomeryplanning.org/wp-content/uploads/2024/10/Bethesda-Downtown-Plan-Minor-Master-Plan-Amendment-Public-Hearing-Draft-Attachments-20241028-FINAL.pdf (pp. 14-28).

[9] Id.

GHG emission levels, contrary to the County's *Climate Action Plan*, which seeks to reduce GHG emissions 80% by 2027 and 100% by 2035 compared to 2005 levels.[10]

Removal of the Development Cap would Exacerbate Traffic Congestion and Negatively Impact Emergency Response Times

WMCA opposes any increases beyond the 32.4 million square feet development cap because the resulting population increases would "result in greater traffic and congestion to adjacent neighborhoods, shopping areas, work, and other regional communities. . . ."[11] While the MMPA describes "modest increases (around two minutes) for travel times from projected increases in job creation in the downtown,"[12] WMCA believes that these increases in travel times are actually significant -- not modest. The County Council should consider the impacts to traffic congestion and travel times along MD 187 and MD 355 as a whole, not just in the Bethesda Downtown Plan area.

For example, the Maryland Department of Transportation State Highway Administration's (MDOT SHA) October 2024 report to the Maryland General Assembly on the impact of the installation of the bike lanes on MD 187 between Ryland Drive and Tilden Lane found that northbound "PM peak period travel times have increased up to 40% since the installation of the bike lanes."[13] In addition, northbound travel times have increased starting at 2:00 PM through about 8:00 PM, as well as between 7:00 AM and about 9:30 AM compared to pre-installation travel times[14] -- impacting traffic far more than just at peak hour. Southbound, post-bike lane installation travel times increased beginning at about 8:00 AM through about 5:00 PM -- a period of 9 hours.[15] These increases in reported travel times are only for the portion of MD 187 between Ryland Drive and Tilden Lane, not south of Ryland Drive to the Bethesda Downtown Plan area.

Additional increases in travel times that would result from the proposed lifting of the development cap are also worrisome due to the negative impact traffic congestion has on timely access to Suburban Hospital -- the designated trauma center for Montgomery County[16] -- and the ability of emergency medical, fire, rescue, and police vehicles to reach neighboring communities as well as I-495 and I-270 in a timely manner. Indeed, at the 3/24/2025 Planning, Housing & Parks (PHP) Committee Worksession on the MMPA, the PHP Committee acknowledged that "emergency response times have gone up."[17] WMCA notes that this increase in emergency

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[10] Montgomery County, Maryland Government. (2021, June). *MONTGOMERY COUNTY CLIMATE ACTION PLAN* (hereinafter "*Climate Action Plan*"), p. xix. Available at: https://www.montgomerycountymd.gov/climate/Resources/Files/climate/climate-action-plan.pdf

[11] *Climate Assessment* at p. 6.

[12] *MMPA* at p. 12.

[13] Maryland Department of Transportation State Highway Administration (MDOT SHA). (2024, October). *Information Related to Bike Lanes on Old Georgetown Road (MD 187): A Report for the Maryland General Assembly Senate Budget and Taxation Committee and House Appropriations Committee*, p. 5.

[14] Id., Figure 3 at p. 5.

[15] Id. Figure 4 at p. 5.

[16] Johns Hopkins Medicine/Suburban Hospital. (2025). *About Suburban Hospital.* Available at: https://www.hopkinsmedicine.org/suburban_hospital/about_the_hospital/index.html

[17] Montgomery County Council Planning, Housing & Parks Committee Worksession. (2025, March 24). Available at: https://montgomerycountymd.granicus.com/player/clip/17898?view_id=169&redirect=true

response times has occurred even before the original development cap of 32.4 million square feet has been reached. Delays in emergency response times will be exacerbated by lifting the development cap, further threatening public health and safety.

Removal of the Development Cap would Result in Tens of Millions of Dollars in Increased Costs for the Bethesda Unified Mobility Program

WMCA opposes any increases beyond the 32.4 million square feet development cap due to the costly addition of tens of millions of dollars for the Bethesda Unified Mobility Program (BUMP).[18] Specifically, the *Fiscal Impact Statement for the Bethesda Downtown Plan MMPA* found an increase between $30M-$57M (a 34% - 65% increase) to the BUMP baseline estimate of $88.4M depending on how much square footage is added.[19] It is important to note that the *Fiscal Impact Statement* does not include "all potential costs as a result of the Plan and Amendment"[20] and does not include construction of the Capital Crescent Trail Tunnel.[21] Complete removal of the development cap would result in even higher costs at a time when the County is experiencing extremely challenging budgetary pressures.

The Development Cap Should Not be Removed or Raised Without Confirmation that Infrastructure, including Schools, Can Accommodate New Development

If, despite the concerns noted above, the County Council decides to remove or raise the development level beyond the cap of 32.4 million square feet, the County and/or M-NCPPC needs to provide confirmation from the relevant utility companies and departments that the water, sewer, electrical, and broadband infrastructure, stormwater management, transportation, and roads will be sufficient to accommodate new development.

In addition, the County/M-NCPPC needs to ensure that school capacity is sufficient to support any proposed new development. For example, Bethesda Elementary School has a current enrollment of 645 students,[22] which is 115% of its capacity of 561 students.[23] As County Executive Elrich points out, "to temporarily address the overcrowding, MCPS Superintendent Thomas Taylor offered mid-year transfers for Bethesda Elementary students. . . and it is has been reported that there has been little interest in this offer."[24] New residential development in Downtown Bethesda will generate even more students that will further strain Bethesda Elementary and the Bethesda-Chevy Chase Cluster schools. WMCA joins the County Executive

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[18] Montgomery County Office of the County Executive. (2025, March 21). *Fiscal Impact Statement - Bethesda Downtown Plan Minor Master Plan Amendment*, p. 1. Available at: https://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&clip_id=17898&meta_id=192048

[19] Id. at pp. 1-2.

[20] Id. at p. 2.

[21] Id.

[22] Montgomery County Public Schools (MCPS) Data Dashboards. (2025). Learning, Accountability and Results: Enrollment, Individual Measures, Bethesda Elementary School. Available at: https://ww2.montgomeryschoolsmd.org/data/LAR-charts/enrollment.html

[23] M-NCPPC. (2025). Growth & Infrastructure Policy: FY 2025 School Utilization Report, p. 100. Available at: https://montgomeryplanning.org/wp-content/uploads/2024/06/FY25_UtilizationReport.pdf

[24] Elrich Letter on MMPA, pp. 1-2.

in urging the County Council to "reconsider. . . the impacts of development on the area's schools."[25]

Any Increases in the Development Cap Should be Tied to the Delivery of Public Amenities and Parks

Furthermore, any increases in the density level should be tied to the delivery of public amenities and parks. As M-NCPPC's Preliminary Recommendations presentation notes, while many new buildings have been completed in Downtown Bethesda since 2017, there has not been as many new public amenities, and no new parks have been completed.[26] We agree with our neighbors in Chevy Chase that any increases in density should be "contingent on the submission of a detailed plan outlining the delivery of amenities promised in the [Bethesda Downtown] Plan."[27] Otherwise, there will only be more development without concrete public amenities, parks, and green spaces for the residents of Downtown Bethesda and neighboring communities.

Conclusion

WMCA strongly opposes ZTA 25-04's proposed elimination of the Bethesda Downtown Plan's development cap because it inappropriately changes the key component around which the 2017 Bethesda Downtown Plan was designed, would significantly increase GHG emissions and costs for the Bethesda Unified Mobility Program, further exacerbate school overcrowding, traffic congestion, and delays in emergency response times, have other negative impacts, and threaten the goals of the Bethesda Downtown Plan.

Before any new development beyond the cap of 32.4 million square feet is contemplated, the County needs to provide confirmation that infrastructure, including school capacity, will be sufficient to accommodate new development. Any increases in the development level should be tied to the delivery of public amenities, parks, and green spaces.

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[25] Id. at p. 2.

[26] M-NCPPC. (2024, Summer). *Bethesda Minor Master Plan Amendment Preliminary Recommendations presentation*, p. 9. Available at: https://montgomeryplanning.org/wp-content/uploads/2024/09/BMMPA-Preliminary-Recommendations-Presentation.pdf.

[27] Lane, Irene N. Letter to Chair Harris and Members of the Montgomery Planning Board. 19 September 2024. Available at: https://montgomeryplanningboard.org/wp-content/uploads/2024/09/MCPB-9.19.24-Item-6-Correspondence-Bethesda-Downtown-Plan-Minor-Master-Plan-Amendment-Preliminary-Recommendations.pdf (pp. 25-27).

Thank you for your consideration of our comments and concerns.

Sincerely,

Karin Bolte

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